

## **Resolution Number 2010-08 - calling an Election to submit to the Voters authorizing a portion of Sunset Park to be sold**

City Council

**Ordinance or Resolution:** Resolution

Attachments   
[Res 2010-08](#)

[Exhibit](#)

### **RESOLUTION 2010-08 WEST LINN, OREGON**

#### **A RESOLUTION OF THE WEST LINN CITY COUNCIL CALLING AN ELECTION TO SUBMIT TO THE VOTERS A REQUEST TO AUTHORIZE THE SALE OF A PORTION OF SUNSET PARK TO THE WEST LINN/WILSONVILLE SCHOOL DISTRICT**

**WHEREAS**, the City of West Linn is the owner of real property consisting of approximately 5.1 acres located at 4665 Bittner Street known as Sunset Park; and

**WHEREAS**, Sunset Primary School is located on the property immediately adjacent to Sunset Park; and

**WHEREAS**, the West Linn/Wilsonville School District ("the District") has determined that Sunset Primary School needs to be replaced in the near future; and

**WHEREAS**, the Sunset Neighborhood Plan includes a policy stating that the neighborhood, city and school district should "explore options that would allow Sunset Primary School to remain in its current location"; and

**WHEREAS**, the District has decided that it will replace Sunset Primary School at its current location provided it is able to secure the additional property adjacent to the property they currently own; and

**WHEREAS**, to assist the District in its efforts to keep Sunset School at its current location and in its current neighborhood, the West Linn City Council has determined that it would be in the public interest to sell a 1.6 acre portion of the Sunset Park property to the District; and

**WHEREAS**, the 1.6 acre portion of Sunset Park consists of Tax Lots 21E25DC 6200 and 6300, shown on the attached Exhibit A, inclusive of undeveloped right-of-way; and

**WHEREAS**, the District has agreed to pay \$483,000 for this portion of Sunset Park; and

**WHEREAS**, the City Council commits to spend the funds received from the District toward the acquisition or development of City parkland; and

**WHEREAS**, Section 46 of the West Linn Charter requires voter approval before the sale of any property designated as a City park; and

**WHEREAS**, the West Linn City Council has determined that the community should have the opportunity to vote on this expeditiously;

#### **NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST LINN, CLACKAMAS COUNTY, OREGON THAT:**

Section 1: An election is hereby called in and for the City of West Linn, Clackamas County, Oregon, for the purpose

of submitting to the legal voters of the City the following question:

SHALL THE CITY SELL 1.6 ACRES OF SUNSET PARK TO THE WEST LINN/WILSONVILLE SCHOOL DISTRICT FOR \$483,000?

Section 2: Tuesday, May 18, 2010, is hereby designated the date for holding the election for the purpose of voting on the measure.

Section 3: The election will be conducted by the Clackamas County Elections Department by mail.

Section 4: The precincts for said election shall be and constitute all of the territory included within the corporate limits of the City of West Linn.

Section 5: The City Elections Officer is hereby directed to publish notice of receipt of ballot title in the West Linn Tidings or The Oregonian in compliance with ORS 250.275(5).

Section 6: The City Elections Officer shall file the ballot title with the county clerk as required by ORS 254.095 and shall include the proposed measure in the statement of city measures to be voted on.

Section 7: City staff is directed to prepare an Explanatory Statement for the measure and submit it for inclusion in the voters' pamphlet as provided in ORS 251.345.

Section 8: The ballot title to appear on the ballots shall be:

CAPTION

SALE OF PORTION OF CITY PARK LAND TO SCHOOL DISTRICT

QUESTION

Shall the City sell 1.6 acres of Sunset Park to the West Linn/Wilsonville School District for \$483,000?

SUMMARY

This measure, if approved, would allow the sale of 1.6 acres of Sunset Park, and undeveloped right of way in the middle of the park, to the West Linn/Wilsonville School District for the amount of \$483,000. The School District has indicated that Sunset Primary School needs to be replaced soon and that it's the District's desire to maintain the school at its current location, provided that the School District's property in this location can be expanded. The City-owned Sunset Park property is adjacent to Sunset Primary School. Agreeing to sell a portion of Sunset Park to the School District would provide sufficient land to allow the District to keep Sunset Primary School in this location. The West Linn Charter requires that the sale of any park property be approved by a vote of the community. If this sale is approved by the voters, the City would commit to using the proceeds from the sale of this property for acquiring or developing land for the recreational use of the West Linn community.

Section 9: If a majority of those voting on the measure vote "yes," the City will sell a 1.6 acre portion of Sunset Park to the West Linn/Wilsonville School District.

Section 10: This resolution is effective upon approval.

This resolution adopted this 22nd day of February, 2010.

- [City Council](#)

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